

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHICO D. LEE,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:02CV1741 RWS
)	
DON ROPER,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on Chico Lee's pro se petition for writ of habeas corpus under 28 U.S.C. § 2254 [#4]. Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Frederick R. Buckles, who filed his Report and Recommendation on October 12, 2005 [#15]. It is Judge Buckles' recommendation that the petition be denied and that no certificate of appealability be issued. Lee timely filed his objections to the Report and Recommendation [#17]. Under 28 U.S.C. § 636(b)(1)(C), I am required to review de novo those portions of the Report and Recommendation to which Lee objects.

I have conducted a de novo review of all matters relevant to the petition. Based on that review, I will adopt and sustain Judge Buckles' Report and Recommendations and will deny Lee's petition.

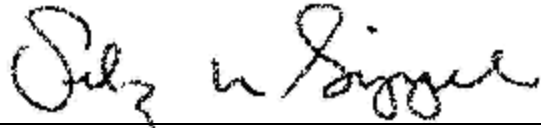
Accordingly,

IT IS HEREBY ORDERED that Lee's petition for habeas corpus under 28 U.S.C. § 2254 [#4] is **DENIED**.

IT IS FURTHER ORDERED that the Court will not issue a certificate of appealability.

A separate judgment in accordance with this Memorandum and Order is entered this same date.

Dated this 3rd Day of January, 2006.

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE